

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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HSBC BANK USA, N.A., et al.,

Case No. 2:17-CV-331 JCM (CWH)

Plaintiff(s),

ORDER

WILLISTON INVESTMENT GROUP
LLC, et al.,

Defendant(s).

Presently before the court is Magistrate Judge Hoffman's report and recommendation ("R&R"). (ECF No. 22).

No objections have been filed, and the deadline for filing objections has since passed.

I. Background

This case presents a dispute regarding real property located at 1632 North Torrey Pines Drive #202, Las Vegas Nevada, 89108 (“the property”). The property was subject to a homeowner’s association foreclosure sale in 2013.

On February 2, 2017, plaintiff HSBC Bank USA, N.A. filed a complaint, naming as defendants Chateau Bordeaux Owner’s Association, Nevada Association Services, Inc. (“NAS”), and Williston Investment Group, LLC. (ECF No. 1). On February 28, 2017, plaintiff filed a notice of voluntary dismissal of NAS. (ECF No. 10). Chateau Bordeaux Owner’s Association now requests leave of the court to bring a cross-complaint against NAS. (ECF No. 19). The HOA asserts that NAS, as the company hired to collect delinquent assessments related to the property and act as the foreclosure trustee, has superior knowledge of the underlying case facts and adding NAS is in the interest of judicial economy. *Id.*

II. Discussion

This court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge’s report and recommendation, then the court is required to “make a de novo determination of those portions of the [report and recommendation] to which objection is made.” 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

Nevertheless, this court finds it appropriate to engage in a *de novo* review to determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation and underlying briefs, the court finds that good cause appears to ADOPT the magistrate judge's findings.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Hoffman's report and recommendation (ECF No. 22) be, and the same hereby is, ADOPTED in its entirety.

IT IS FURTHER ORDERED that defendant Chateau Bordeaux Owner's Association's motion for leave to file crossclaim (ECF No. 19) be, and the same hereby is, DENIED.

DATED January 11, 2018.

James C. Mahan
UNITED STATES DISTRICT JUDGE